

NINTH DAY

Wednesday, February 3, 2016

The House of Representatives of the Twenty-Eighth Legislature of the State of Hawaii, Regular Session of 2016, convened at 12:09 o'clock p.m., with Speaker Souki presiding.

The invocation was delivered by Representative Jo Jordan, after which the Roll was called showing all Members present.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Eighth Day was deferred.

**KA HUA 'ŌLELO O KA LĀ
HAWAIIAN WORD FOR THE DAY**

Representative Keohokalole presented *Ka Hua 'Ōlelo o Ka Lā*, the Hawaiian Word for the Day, as follows:

"Thank you, Mr. Speaker. Today's Hawaiian word for the day is *kuleana*. There are two general meanings to *kuleana*, one is the local meaning and one is the old Hawaiian-style meaning.

"If you've been here a long time or you were raised in Hawaii, generally speaking the word *kuleana* means responsibility. In the normal course of things that translation works out right, and what most people normally would hear *kuleana* used in is in terms of someone else's responsibility, like road paving is the City's *kuleana*. And that's how it's used in the normal course of things now.

"In the old Hawaiian ways, it was thought of as a responsibility, but also as a privilege and an honor. To accept the responsibility or to accept *kuleana* was also to accept a duty. Not so much in pursuit of a reward, but because it was the right thing to do.

"So when I think of this body and this membership, I think of our *kuleana* that we have individually accepted, as an obligation and also as an honor to our communities. And also to the folks not only that are Members of this body but also that work in this building, from staff all the way to the top, who have also each accepted their own role in doing the work of the people. Again, the word for today is *kuleana. Mahalo.*"

At 12:20 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:29 o'clock p.m.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Rhoads introduced Mr. John Calvelli, Executive Vice President for Public Affairs, World Conservation Society.

Representative Woodson introduced Council Chair Mike White, Maui County Council.

Representative Keohokalole introduced Ms. Trisha Kehaulani Watson, founder, Honua Consulting.

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pouha and carried, the rules were suspended for the purpose of considering certain House Bills for Third Reading by consent calendar. (Representative McKelvey was excused.)

UNFINISHED BUSINESS

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 5-16) recommending that H.B. No. 900, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 900, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE FRAUD," passed Third Reading by a vote of 50 ayes, with Representative McKelvey being excused.

At 12:33 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 900, HD 2

REPORTS OF STANDING COMMITTEES

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 10-16) recommending that H.B. No. 32 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 32, entitled: "A BILL FOR AN ACT RELATING TO CROSSWALK SAFETY," passed Third Reading by a vote of 50 ayes, with Representative McKelvey being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 11-16) recommending that H.B. No. 901 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 901, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT VEHICLES," passed Third Reading by a vote of 50 ayes, with Representative McKelvey being excused.

At 12:34 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 32

H.B. No. 901

Representative Hashem, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 12-16) recommending that H.B. No. 1962, as amended in HD 1, pass Second Reading and be referred to the Committee on Water & Land.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1962, HD 1 pass Second Reading and be referred to the Committee on Water & Land, seconded by Representative Evans.

Representative Jordan rose to speak in support of the measure with reservations, stating:

"I know it's early in session, Mr. Speaker, but I am going to start off. With reservations, Mr. Speaker. Just a slight comment. I don't believe we should be removing the cap on this particular fund, we just put the cap on this fund last June. So, I think we should allow it a little bit more time, but I'll wait for third reading on this, Mr. Speaker. Thank you very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1962, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF THE CONVEYANCE TAX COLLECTIONS TO THE RENTAL HOUSING REVOLVING FUND," passed Second Reading and was referred to the Committee on Water & Land, with Representative Jordan voting aye with reservations, and with Representative McKelvey being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 13-16) recommending that H.B. No. 182, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 182, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ichiyama rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I request a ruling on a potential conflict? My spouse is a registered lobbyist for the Chamber of Commerce," and the Chair ruled, "no conflict."

Representative Ichiyama continued, stating:

"Thank you, Mr. Speaker. May this ruling continue for the remainder of session? Thank you," and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 182, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VIOLATIONS OF THE LOBBYISTS LAW," passed Second Reading and was referred to the Committee on Finance, with Representative McKelvey being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 14-16) recommending that H.B. No. 129, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 129, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative McKelvey being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 15-16) recommending that H.B. No. 1752, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1752, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ward rose, stating:

"Mr. Speaker, I am not on the Labor Committee, but I fail to understand why we would have a bill specifically for only an admin assistant, which is really micromanaging a department of which if we did every department like this we would be here for more than 60 days, perhaps triple that. So I would appreciate any explanation that would say why one person, admin assistant, not even a director or a professional, it's an admin assistant. So, I fail to understand that. Thank you."

The Chair addressed Representative Ward, stating:

"Feel free to ask the Labor Chairman that question at the end. Are you for or against?"

Representative Ward: "Consider that a point of information."

Speaker Souki: "Point of information? That doesn't answer the question, are you for, are you against, or are you with reservations?"

Representative Ward: "Mr. Speaker, my understanding is when we speak we can have a point of information, a point of inquiry, whether it's up or down I think is immaterial."

At 12:37 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:38 o'clock p.m.

At this time, the Chair stated:

"The Chair stands corrected."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1752, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF COMMUNITY SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representative McKelvey being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 16-16) recommending that H.B. No. 953, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 953, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WAGE AND HOUR LAW," passed Second Reading and was referred to the Committee on Finance, with Representative McKelvey being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 17-16) recommending that H.B. No. 1713, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1713, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," passed Second Reading and was referred to the Committee on Judiciary, with Representative McKelvey being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 18-16) recommending that H.B. No. 2720 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2720, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, THE OMBUDSMAN, AND THE ETHICS COMMISSION," passed Second Reading and was placed on the calendar for Third Reading, with Representative McKelvey being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following concurrent resolution (H.C.R. No. 29) was referred to Printing and further action was deferred:

H.C.R. No. 29, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO PROPOSE AND PASS A PROPOSED AMENDMENT TO THE UNITED STATES CONSTITUTION CLARIFYING THAT CORPORATIONS ARE NOT PEOPLE WITH CONSTITUTIONAL RIGHTS, AND THAT UNLIMITED CAMPAIGN SPENDING IS NOT FREE SPEECH," was jointly offered by Representatives Lowen, Aquino, Belatti, Brower, Cachola, Choy, Creagan, Cullen, DeCoite, Evans, Fukumoto Chang, Hashem, Ichiyama, Ing, Ito, Johanson, Kawakami, Keohokalole, Kobayashi, Lee, LoPresti, Luke, Matsumoto, McKelvey, Mizuno, Morikawa, Nakashima, Nishimoto, Ohno, Onishi, Oshiro, Pouha, Rhoads, Saiki, San Buenaventura, Say, Souki, Takayama, Takumi, Thielen, Tsuji, Woodson, Yamane and Yamashita.

ANNOUNCEMENTS

COMMITTEE ASSIGNMENTS

The following measure was referred to committee by the Speaker:

S.B.**No.****Referred to:**

2032, Committee on Judiciary, then to the Committee on Finance
SD1

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

H.B.**Nos.****Re-referred to:**

1808 Jointly to the Committee on Health and the Committee on
Judiciary, then to the Committee on Finance

1829 Committee on Judiciary, then to the Committee on Finance

2246 Jointly to the Committee on Human Services and the Committee
on Housing, then to the Committee on Judiciary, then to the
Committee on Finance

2478 Jointly to the Committee on Health and the Committee on Labor
& Public Employment, then to the Committee on Finance

2699 Jointly to the Committee on Higher Education and the Committee
on Consumer Protection & Commerce, then to the Committee on
Finance

2707 Jointly to the Committee on Health and the Committee on
Judiciary, then to the Committee on Finance

2708 Jointly to the Committee on Health and the Committee on
Judiciary, then to the Committee on Finance

2709 Jointly to the Committee on Health and the Committee on
Judiciary, then to the Committee on Finance

2757 Committee on Housing, then to the Committee on Agriculture,
then to the Committee on Finance

ADJOURNMENT

At 12:40 o'clock p.m., on motion by Representative Evans, seconded by Representative Pouha and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, February 4, 2016. (Representative McKelvey was excused.)